

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3107
)	
v.)	
)	MEMORANDUM AND ORDER
JOSEPH INTHAVONG,)	
)	
Defendant.)	

The defendant has moved to continue trial, (filing no.42), because a new attorney for the defendant was retained on February 15, 2011. The newly retained attorney will need additional time to review the Rule 16 discovery and evidence, and to advise the defendant in this case. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant, Joseph Inthavong's motion to continue, (filing no. 42), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on April 18, 2011 at 9:00 a.m. for a total of five trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and April 18, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 18th day of February, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge